

Message Text

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ACTION EA-09

INFO OCT-01 ISO-00 DHA-02 CIAE-00 DODE-00 PM-04 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
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C O N F I D E N T I A L MANILA 0374

E O 11652: GDS
TAGS: SHUM, RP, US
SUBJ: PRESIDENT MARCOS' REACTION TO DEPARTMENT'S HUMAN RIGHTS
REPORT

REF: MANILA 103

1. DURING MAJOR POLICY SPEECH TO UNIVERSITY OF THE
PHILIPPINES LAW ALUMNI WHICH COVERED BASE NEGOTIATIONS
(SEPTTEL) AND MINDANAO (NOTHING NEW) PRESIDENT MARCOS DIS-
CUSSED DEPARTMENT'S HUMAN RIGHTS REPORT ON PHILIPPINES.
PRESIDENT, WHO READ FROM JANUARY 3 AP DISPATCH (REFTTEL)
SAID GOP SEEKING MORE INFORMATION ON WHAT DEPARTMENT
ACTUALLY TOLD CONGRESS AS WELL AS ACCURATE STATEMENT OF
"THIS PARTICULARLY OFFENSIVE DOCUMENT." ALLUDING TO
REPORTS OF TORTURE AND DETAINEE MALTREATMENT, MARCOS SAID
HE WISHED DENY SUCH REPORTS IN THE "MOST VIOLENT AND STRONGEST
POSSIBLE TERMS AND WITH THE OUTRAGE WE FEEL". PRESIDENT
ALSO COMPLAINED OF "CAVALIER AND CASUAL" REFERENCES TO
TORTURE. AS HE HAS ON PREVIOUS OCCASIONS, MARCOS DENIED
THERE ARE POLITICAL PRISONERS IN THE PHILIPPINES SINCE ALL
DETAINEES HAVE CHARGES FILED AGAINST THEM. MARCOS
THEN ORDERED IMMEDIATE RELEASE OF THOSE AGAINST WHOM
NO CHARGES FILED. THIS GREETED BY GREAT CHEER FROM
AUDIENCE.

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2. NOTING DEPARTMENT'S RECOMMENDATION THAT ASSISTANCE
BE CONTINUED DESPITE REPORTS OF HUMAN RIGHTS VIOLATIONS,
MARCOS SAID THIS TREATMENT OF SOLEMN OBLIGATION CONTAINED
IN A TREATY IN CONSIDERATION OF WHICH U.S. ENJOYES USE OF
BASES "MAKES MORE EXTREME THE INSULT AND OFFENSE" AGAINST

GOP AND FILIPINO PEOPLE. HE THEN ANNOUNCED FORMATION OF COMMITTEE OF UP LAW ALUMNI TO INVESTIGATE CONDITIONS OF ALL DETAINEES. HE PROMISED PUNISHMENT FOR THOSE GUILTY OF TORTURE OR MALTREATMENT.

3. MARCOS WARNED HIS AUDIENCE THAT THESE "PROVOCATIONS" WOULD CONTINUE AND CLAIMED THEY WERE RESULT OF GOP'S INDEPENDENT POSTURE IN THIRD WORLD AND VARIOUS INTERNATIONAL FORA. PRESIDENT CONTENDED THIS WAS "A TEST OF OUR RESOLUTION". HE SAID IT WAS NECESSARY TO STAND FIRM ON AND FIGHT FOR BASIC PRINCIPLES. HE REITERATED "SOVERIGNTY OF PHILIPPINES NOT FOR SALE NOR NEGOTIABLE."

4. COMMENT: MARCOS DID NOT RAISE HUMAN RIGHTS REPORT WITH AMBASSADOR IN CONVERSATION EARLIER IN DAY (SEE MANILA 346) NOR HAS EMBASSY RECEIVED QUERIES FROM DFA ABOUT REPORT EVEN THOUGH IT HAS BEEN PUBLIC KNOWLEDGE FOR SEVERAL DAYS. PRESIDENT'S REACTION TO REPORT WAS CAREFULLY MODULATED "OUTRAGE." CHARACTERISTICALLY, AFTER DENYING COMPLETELY HUMAN RIGHTS VIOLATIONS, MARCOS ORDERED POLITICAL PRISONERS WITHOUT CHARGES RELEASED AND A COMMITTEE OF JURISTS TO INVESTIGATE DETAINEE CONDITIONS. TREMENDOUS APPLAUSE WHICH GREETED HIE "ORDER" ON RELEASE OF PRISONERS WITHOUT CHARGES (WHICH WE DOUBT WILL BE IMPLEMENTED) SUGGESTS THAT NATION'S LEADING LAWYERS AWARE THAT SUCH PRISONERS EXISTS DESPITE REGIME'S DISCLAIMERS. MARCOS' SUGGESTION THAT HUMAN RIGHTS REPORT IS RESULT OF U.S. DISPLEASURE AT GOP'S INDEPENDENT FOREIGN POLICY AND IS TACTIC TO BOLSTER U.S. POSITION IN BASE NEGOTIATIONS REPRESENTS NEW MARCOS APPROACH TO HUMAN RIGHTS CRITICISM. CONFIDENTIAL

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HIS FELLOW ALUMNI DUTIFULLY APPLUDED HIS SUGGESTION BUT WE DOUBT THEY OR MANY OTHERS REALLY FIND SUCH AN ARGUMENT PERSUASIVE. IN MAKING THIS LINKAGE MARCOS MAY BELIEVE HE CAN FORESTALL OR AT LEAST ATTENUATE SUCH CRITICISM IN THE FUTURE. IF THIS IS INDEED WHAT HE BELIEVES, IT WOULD SEEM HE IS MAKING A SERIOUS MISCALCULATION.

5. WE ALSO ESTIMATE THAT THIS LATEST MARCOS PUBLIC COMMENTARY ON HUMAN RIGHTS AND THE BASES ISSUE MAY WELL BE DESIGNED TO DRAW ATTENTION AWAY FROM THE CONTROVERSIAL MINDANAO SETTLEMENT WHICH IS GENERATING INCREASING CRITICISM AND CONCERN HERE.

6. REQUEST DEPARTMENT PROVIDE EMBASSY WITH FULL TEXT OF HUMAN RIGHTS DOCUMENT AS RELEASED BY HIRC. DID DEPARTMENT PROVIDE GOP EMBASSY IN WASHINGTON WITH A COURTESY COPY OF REPORT PRIOR TO RELEASE? CAN WE ASSUME PHIL EMBASSY FORWARDING TEST OF RELEASE TO DFA?
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NNN

*** Current Handling Restrictions *** n/a

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